



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,927	04/10/2001	Francis Luc Mathilda Arts	Q63668	6654

7590 03/27/2006
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037-3213

EXAMINER

HO, CHUONG T

ART UNIT PAPER NUMBER

2616

DATE MAILED: 03/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/828,927

Applicant(s)

ARTS ET AL.

Examiner

CHUONG T. HO

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. epo-00401006.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2664

1. The amendment filed 01/04/06 have been entered and made of record.
2. Applicant's arguments filed 01/04/06 have been fully considered but they are not persuasive.

In the page 11, lines 1-3, the Applicant alleged that "Hino fails to teach or suggest at least a connection control module being adapted to communicate to a service control module of a switching node and adapted to communicate via a connection control interface to at least one other connection control module.

The Applicant's argument is not persuasive.

Hino discloses at least one Connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224") of a switching node in a telecommunications network, said connection control module (see figure 8, col. 24, lines 1-12, lines 41-50) being adapted to communicate to a service control module (252, 253, 254) of switching node characterized in that said connection control module is further adapted to communicate via a connection control interface to at least one other connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224") of switching node. Clearly, Hino teaches or suggests at least a connection control module being adapted to communicate to a service control module of a switching node and adapted to communicate via a connection control interface to at least one other connection control module.

3. Claims 1-12, 13-16 (new claims) are pending.

Drawings

Art Unit: 2664

4. The drawings (filed 01/04/06) are objected to under 37 CFR 1.83(a) because all boxes in the figure 1 should be labeled descriptive legend. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2664

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Hino (U.S. Patent No. 6,172,976 B1).

In the claim 1, Hino discloses the present invention relates to a telecommunications service control unit within a telecommunications switching network and method of operation of the telecommunications service control unit, and more particularly, to controlling a call processing between a call originating terminal and called terminal including switching operation (see col. 1, lines 7-11); FIG.8, is block diagram shows functional configuration and an operating environment, wherein communication services are implemented across a plurality of service controller (see col. 5, lines 9-12); comprising:

Connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224") of a switching node in a telecommunications network, said connection control module (see figure 8, col. 24, lines 1-12, lines 41-50) being adapted to communicate to a service control module (741, 252, 253, 254) of switching node characterized in that said connection control module is further adapted to communicate via a connection control interface to at least one other connection control module ("711,

Art Unit: 2664

731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224") of switching node.

2. In the claim 2, Hino discloses connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224") is further adapted to communicate with at least one other service control module (252, 253, 254) of switching node (see col. 25, lines 37-39).

3. In the claim 3, Hino discloses connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224") further includes a service interface handler, service interface handler (731, 732, 733) is adapted to receive from service control module (252, 253, 254) a service request message (see col. 25, lines 13-17), to analyze service request message and to perform an action, dependent on the result of the analysis of service request message (see col. 25, lines 15-21).

4. In the claim 4, Hino discloses analysis of service request message indicates that at least one of a predetermined type of physical device drivers (see col. 14, lines 25-40) is needed for establishing a connection pertaining to a call, action consists of generating a physical device interface handler module (262, 263, 264), associated predetermined type of physical device drivers, for inclusion in connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224") (see col. 14, lines 25-40, figure 8, col. 24, lines 1-10, lines 45-55).

5. In the claim 5, Hino discloses physical device interface handler module (262, 263, 264) is further adapted to transmit to an associated resource manager module (741), associated resource manager module (RM) being adapted to select from a

Art Unit: 2664

plurality of physical device driver (see col. 14, lines 25-40) of predetermined type and included in or coupled to switching node, and based upon resource request message (see col. 25, lines 15-21), an associated physical device driver (see col. 14, lines 25-40) of plurality.

6. In the claim 6, Hino discloses physical device interface handler (262, 263, 264) is further adapted to active associated physical device driver (see col. 14, lines 25-40), and to confirm operation to service interface handler (731, 732, 733).

7. In the claim 7, Hino discloses service interface handler (731, 732, 733) is further adapted to confirm operation to service control module (252, 253, 254) (see figure 8, col. 24, lines 1-10, lines 45-55).

8. In the claim 8, Hino discloses in case said result of analysis of service request message indicates that a physical device driver of switching node is to be removed from existing call connection (see col. 14, lines 45-67), action consisting of deleting and existing physical device interface handler module (262, 263, 264) associated to physical device driver (see col. 14, lines 25-40) and included within connection control module (701, 702, 703).

9. In the claim 9, Hino discloses in case of result of analysis of service request message (see col. 25, lines 15-22) indicates that the operation of a physical device driver (see col. 14, lines 25-40) of switching node is to be modified action consists of initiating a state change within an existing physical device interface handler (262, 263, 264) associated to physical device driver (see col. 14, lines 25-40) and included within

Art Unit: 2664

connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224").

10. In the claim 10, Hino discloses in case results of analysis of service request message indicates that at least one other connection control module is involved, service interface handler (731, 732, 733) is further adapted to communicate to a service interface handler (731, 732, 733) of at least one other connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224") (see col. 25, lines 15-21).

11. In the claim 11, Hino discloses upon communication with service interface handler (731, 732, 733) of at least one other connection control module (701, 702, 703), service interface handler (731, 732, 733) is further adapted to communicate to a physical device interface handler (262, 263, 264) referred to in service request message and included in connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224").

12. In the claim 12, Hino discloses physical device interface handler (262, 263, 264) referred to in service request message is further adapted to communicate with a second physical device interface handler (264, 262, 263) referred to in service request message and included in at least one other connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224") (see col. 24, lines 1-10, lines 45-55).

Claim Rejections - 35 USC § 103

Art Unit: 2664

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 13 – 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hino (U.S. Patent No. 6,172,976 B1) in view of Casile et al. (U.S. Patent No. 6,769,026 B1).

In the claim 13, Hino discloses Hino discloses the present invention relates to a telecommunications service control unit within a telecommunications switching network and method of operation of the telecommunications service control unit, and more particularly, to controlling a call processing between a call originating terminal and called terminal including switching operation (see col. 1, lines 7-11); FIG.8, is block diagram shows functional configuration and an operating environment, wherein communication services are implemented across a plurality of service controller (see col. 5, lines 9-12); comprising:

Connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224") of a switching node in a telecommunications network, said connection control module (see figure 8, col. 24, lines 1-12, lines 41-50) being adapted to communicate to a service control module (252, 253, 254) of switching node characterized in that said connection control module is further adapted to communicate via a connection control interface to at least one other connection control module ("711,

Art Unit: 2664

731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224") of switching node;

Connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224") comprising a service interface handler (731, 732, 733) that analyzes a service request from service control module (741) and performs an action dependent on the result of the analysis of service request message (see col. 26, lines 15-20, lines 42-45).

However, Hino is silent to disclosing action comprises at least one of a physical device interface handler module, deleting an existing physical device interface handler module or initiating a state change within an existing physical device interface handler.

Casile et al. discloses action comprises at least one of a physical device interface handler module, deleting an existing physical device interface handler module or initiating a state change (handler modifying, see abstract, see claim 1, col. 10, lines 20-55) within an existing physical device interface handler

Both Hino, and Casile discloses service control point of the public switching systems. Casile recognizes at least one of a physical device interface handler module, deleting an existing physical device interface handler module or initiating a state change. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Hino with the teaching of Casile to provide action comprises at least one of a physical device interface handler module, deleting an existing physical device interface handler module or initiating a state change in order to

Art Unit: 2664

program to be executed in network equipment implementing any protocol of communication used in intelligent networks and any type of communication mode.

15. In the claim 14, Hino discloses result of analysis of service request message indicates that at least one other connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224") is involved, service interface handler (731, 732, 733) communicates with a service interface handler of at least one other connection control module (see figure 8, col. 25, lines 10-20).

16. In the claim 15, Hino discloses upon communication with service interface handler (731, 732, 733) of at least one other connection control module, service interface handler (731, 732, 733) communicates with a physical device interface handler (262, 263, 264) referred to service request message (see col. 26, lines 43-45) and included in connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224").

17. In the claim 16, Hino discloses physical device interface handler (262, 263, 264) referred to in service request message communicates with a second physical device interface handler (262, 263, 264) referred to in service request message and included in at least one other connection control module ("711, 731, 721, 262, 222"; "712, 732, 722, 263, 223"; "713, 733, 723, 264, 224").

Art Unit: 2664

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

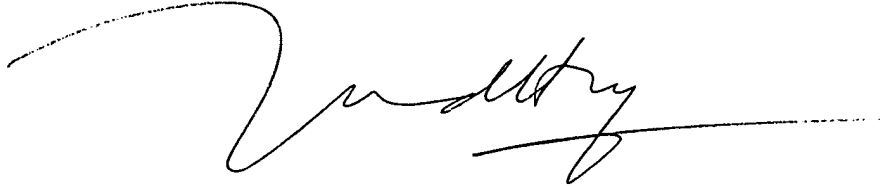
18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG T. HO whose telephone number is (571) 272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2664

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

03/08/06

A handwritten signature in black ink, appearing to read 'Huy D. Vu', with a long horizontal line extending to the right.

HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600